

Serial No.: 09/829,361

REMARKS

Claim 6 is pending in the application and has been amended herein. Favorable reconsideration of the application, as amended, is respectfully requested.

Claim 6 has been amended to recite that the stream data represents transport stream data, and that the menu item coordinate information and valid duration information is inserted in the transport stream data at predetermined time periods. Support for such amendment is found, for example, at page 25, lines 4-11 of the present specification.

I. REJECTION OF CLAIM 6 UNDER 35 USC §102(e)

Claim 6 stands rejected under 35 USC §102(e) based on *Mimura et al.* This rejection is respectfully traversed for at least the following reasons.

Claim 6 recites, *inter alia*, that the menu item coordinate information and valid duration information is inserted in the transport stream data at predetermined time periods. Such feature was recited by the Examiner in the Notice of Allowability of the parent application (US Ser. No. 09/085,606, now USP 6,243,086) as distinguishing over *Mimura et al.* The advantage of such feature is that a user may select a menu item based on a comparison of user input coordinate information without requiring a relatively large memory.

The Examiner now contends that Figs. 49 and 58 of *Mimura et al.* teach the menu item coordinate information and valid duration information inserted in the transport stream data at predetermined time periods. However, Fig. 49 of *Mimura et al.* shows that the valid HLI period is common to all of the sub-picture streams when mixed, as described in *Mimura et al.* (See, e.g., Col. 25, Ins. 21-30). Thus, Fig. 49 does not show the location of information of the data streams, but rather the highlight valid period during reproduction.

Fig. 58 of *Mimura et al.* shows a data structure for button position information. Fig. 58 does not show where this information is positioned in the data stream. Thus, Fig. 58 does not teach or suggest the insertion of data in the data stream at predetermined time periods as recited in claim 6.

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As a result, *Mimura et al.* does not teach or suggest a recording medium as recited in claim 6. Withdrawal of the rejection is respectfully requested.

II. CONCLUSION

Accordingly, claim 6 is believed to be allowable and the application is believed to be in condition for allowance. A prompt action to such end is earnestly solicited.

Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

Should a petition for an extension of time be necessary for the timely reply to the outstanding Office Action (or if such a petition has been made and an additional extension is necessary), petition is hereby made and the Commissioner is authorized to charge any fees (including additional claim fees) to Deposit Account No. 18-0988.

Respectfully submitted,

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